

REMARKS

Formal replacement drawings for FIGS. 1-6 are submitted herewith.

The specification has been amended to include the priority claim submitted in the application data sheet filed on February 13, 2002 and to correct informalities.

Claims 1, 5, 6, 7, 9, and 10 have been amended to further clarify that which Applicant regards as the invention. Support for the amendment may be found in the specification from page 6, line 1 to page 11, line 27.

Claims 2, 3, 4 and 8 have been canceled without disclaimer or prejudice.

New Claims 11-16 have been added.

Claims 1, 5, 6, 7, 9, and 10-16 remain pending in the application.

By way of this response, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the examiner telephone Leo J. Peters at (408)433-4578 so that such issues may be resolved as expeditiously as possible.

Response to the rejection of Claims 1-10

Claims 1-10 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claims 1 and 10 and the dependent claims have been amended to recite the technological application of the mathematical Thevenin model to determine a switching threshold delay and a slope delay of a gate input signal of a cell as described in the specification and to recite measurements that

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68513(6653)

are performed outside the computer, e.g., a capacitive load and a driver resistance, to comply with the statutory requirements of 35 U.S.C. § 101 according to MPEP § 2106(IV)(B)(2)(b)(ii)(2100-17,18).

Applicant respectfully requests examination and favorable reconsideration of pending Claims 1, 5, 6, 7, 9, and 10-16.

No additional fee is believed due for this amendment.

Respectfully submitted,


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